

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 17 AUG 2005

PCT

Applicant's or agent's file reference 13125	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/AU2004/000319	International filing date (day/month/year) 17 March 2004	Priority date (day/month/year) 17 March 2003	
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ A47G 29/12, 29/122, 29/124, E05B 41/00, 47/00.			
Applicant TELEZYGOLOGY INC et al			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of **4** sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☐ (sent to the applicant and to the International Bureau) a total of sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application

Date of submission of the demand 15 October 2004	Date of completion of the report 8 August 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer R. WEBER Telephone No. (02) 6283 2546

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000319

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1 (b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☒ the international application as originally filed/furnished
 - ☐ the description:

pages	as originally filed/furnished	
pages*	received by this Authority on	with the letter of
pages*	received by this Authority on	with the letter of
 - ☐ the claims:

pages	as originally filed/furnished	
pages*	as amended (together with any statement) under Article 19	
pages*	received by this Authority on	with the letter of
pages*	received by this Authority on	with the letter of
 - ☐ the drawings:

pages	as originally filed/furnished	
pages*	received by this Authority on	with the letter of
pages*	received by this Authority on	with the letter of
 - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to the sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. IV **Lack of unity of invention**

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has:
- ☐ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ neither restricted nor paid additional fees.
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:
- ☐ complied with.
 - ☒ not complied with for the following reasons:

Claims 1, 3 and 4 all relate to a closure for a compartment which can send information of either the status of the closure or of its contents. Whereas claim 3 is directed to a closure for a compartment in a bank of compartments.

4. Consequently, this report has been established in respect of the following parts of the international application:

- ☒ all parts.
- ☐ the parts relating to claims Nos.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000319

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1 to 46.	YES
	Claims	NO
Inventive step (IS)	Claims 1 to 46.	YES
	Claims	NO
Industrial applicability (IA)	Claims 1 to 46.	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

Novelty (N) and Inventive Step (IS) Claims 1 to 46.

The claims as presently defined are directed to a closure for a compartment, the closure being associated with at least one fastener. The fastener can cause the closure to assume a first position and a second position upon receipt of a suitable signal, (the positions being an open and closed state). The claims are further qualified by their special technical features: claim 1 the closure includes an indicium, claim 2 the fastener can communicate information to a remote device, claim 3 the compartment forms an array with other compartments having similar fasteners and the fastener is addressable and claim 4 where the special features of claim 1 and 4 are both included.

No individual citation or obvious combination of citations discloses these features. The closest art may be seen in the following documents JP 11018916 A, JP 2002034772 A, CA 2098973 A, JP 2002017554 A, JP 10257960 A, JP 08011984 A, JP 08093287 A, JP 09317278 A, EP 389313 B, WO 1997/41542 A, FR 2687298 A and FR 2563987 A.

Industrial Applicability (IA) Claims 1 to 46.

All claims are considered to be industrially applicable.